

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2187.05
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	October 25, 2004
DATE OF REPORT:	November 22, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	December 1, 2004

COMPLAINT ISSUES:

Whether the Anderson Community School Corporation and the Anderson Area Special Education Cooperative violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by failing to provide an interpreter.

FINDINGS OF FACT:

1. The Student has been identified as having a communication disorder and a hearing impairment and determined eligible for special education and related services.
2. The Student's IEP, dated January 16, 2004, indicates that the Student is to have an interpreter for six and one-half hours daily, five days per week in the general education classroom.
3. The School acknowledges that the Student was not provided an interpreter for every class hour until October 25, 2004. The Complainant acknowledges that a new interpreter has been hired and the Student's IEP is now being implemented as written.

CONCLUSIONS:

Findings of Fact #2 and #3 indicate that the School did not implement the Student's IEP as written by failing to provide an interpreter. Therefore, a violation of 511 IAC 7-27-7(a) is found.

The Department of Education, Division of Exceptional Learners requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Anderson Community School Corporation shall:

Convene the Student's case conference committee to determine whether and to what extent compensatory services will be provided the Student as a result of falling behind due to the School's failure to provide an interpreter. A copy of the Case Conference written report and IEP shall be submitted to the Division no later than December 17, 2004.